

Re: Burnaby Dog Tax and Pound and Animal Regulation By-Law 1972,  
By-Law No. 6191

The following is a Report of the Municipal Treasurer dated October 7, 1974 regarding the above.

The Municipal Manager concurs in the recommendations made, but does not have strong feelings in connection with making a charge for euthanasia and incineration. It seems that if the charges are implemented as recommended by the Municipal Treasurer we should review the subject in no more than six months time after implementation to insure that we are not creating a larger problem by charging for the service than we have without charging for the service.

RECOMMENDATION

THAT the recommendations of the Municipal Treasurer be accepted; and

THAT the matter of charging fees for euthanasia and incineration of dogs and cats (excluding those fees for veterinarian and approved agencies) be reviewed on or before July 1, 1975.

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7 October 1974

File: D57

TO: MUNICIPAL MANAGER

FROM: MUNICIPAL TREASURER

RE: BURNABY DOG TAX AND POUND AND ANIMAL REGULATION BY-LAW 1972,  
BY-LAW NO. 6191

There are a number of changes to the above cited by-law which Council should consider, to take effect 1 January 1975.

1. Licence fees

Current licence fees are:

Male dog	\$ 5.00
Unspayed female dog	20.00
Spayed female dog	5.00
Replacement tag	.25

With ever increasing problems of dog control, consideration should be given to following the District of Surrey's example of charging a licence fee for a neutered male dog at the rate chargeable for a female. Surrey's fees are:

Unneutered male	\$ 10.00
Neutered male	3.00
Unspayed female	10.00
Spayed female	3.00

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Surrey's experience is that this differential in rates put into effect two years ago resulted in an increase in revenue rather than an increase in the number of neutered males.

However, Burnaby's rate for a female dog is significant and is large enough if applied to unneutered males, to make it worthwhile for an owner to spend the \$30.00 or so it costs for a neutering operation.

We are given to understand that the medical procedure for castration is considered by veterinarians to be a simple one. The risk to the animal is relative to its general physical condition and is no greater than other medical procedures. The most desirable age for this operation is between six months and one year. However, it can be done on any male in good medical condition. Castrated dogs, having no incentive to pursue females, tend to wander less and are generally easier to control than uncastrated dogs. Apparently the operation, other than causing the loss of sexual appetite, has little or no effect on the health of the animal.

There are about 4,000 male dogs in Burnaby. Consideration should be given to establishing a licence fee for an unneutered dog at \$20.00 and for a neutered dog, \$5.00.

A jump from \$5.00 to \$20.00 is precipitative. To soften the rate of increase, Council may consider raising the fee for an unneutered dog to, say, \$10.00 in 1975 and \$20.00 in 1976. Alternatively, they might consider setting the rate at \$20.00 and making provision for a rebate of \$15.00 on production of a neutering certificate in the current year.

It is of interest to note that Burnaby's imposition in 1972 of a \$20.00 licence fee for females (up from \$10.00) had the effect of reducing the number of unspayed females by 67 out of a total of 488.

The present by-law calls for a fee for a replacement tag of 25¢. This fee has been in existence for many years and no longer defrays the cost of replacing the tag. \$1.00 would be more realistic. In 1973, 192 replacement tags were issued.

## 2. Escalating pound fees for repeat offenders

There were 1,666 dogs impounded during 1973. Of this number, approximately 250 dogs were impounded twice and 83 were impounded more often. One was impounded seven times. In other words, it cost the owner of this animal at least \$84.00 to retrieve it.

In an effort to curb a situation of this nature, the District of West Vancouver applies a fee of \$20.00 for the first impounding, \$30.00 for the second, \$40.00 for the third and \$50.00 for the fourth and each subsequent impounding.

The District of North Vancouver abandoned a similar program as being impracticable.

The City of Vancouver currently is considering escalating pound fees and the adoption of a leash law.

Currently, Burnaby's impoundment fees are::

Unlicensed dog	\$25.00 plus \$2.00 per day
Licensed dog	10.00 plus \$2.00 per day

Maximum 3 days (72 hours), after which time the dog is found a new home or is destroyed.

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In common with most other nearby municipalities, Burnaby's pound rate favours the owner of a licenced animal (see attached listing). The reasoning behind this differential in charges is to punish the individual harbouring an unlicenced dog, and to favour the owner who takes the trouble to licence his dog.

An escalating pound fee may have the effect of reducing the number of repeaters at the pound. The following are the rates suggested:

Unlicenced dog	\$25.00
Licenced dog	10.00 first offence
	25.00 second offence
	40.00 third and subsequent offences

during a twelve month period; plus \$2.00 per day maintenance

### 3. Dogs on leash

Section 5 of the by-law reads:

"Every person who owns a dog shall not permit the said dog to be at large in the municipality and without limiting the generality of the foregoing, shall keep said dog on leash while upon a highway or public place."

There are times when pound patrolmen are unable to catch dogs, in which case if the animals can be identified, the owner is summonsed to appear before a judge. On several occasions, owners have sworn before the judge that they did not permit the dog to be at large, that it was contained but that someone let it loose or else it broke its leash or chain. On most of these occasions, the judge has dismissed the case. The reason for dismissal is because the by-law uses the word "permit" which implies knowledge, and if the dog is at large without the knowledge or permission of the owner, there may be no conviction.

Under the circumstances, the Municipal Solicitor recommends that Section 5 be reworded to exactly conform with the wording in the Municipal Act, i.e. "Every owner shall keep his dog on leash while on a highway or public place."

The Solicitor goes on to say, "Even under this amendment, a court may decide that the owner is not guilty if he has not permitted the dog to be on the highway without a leash. In other words, proving that he is the owner and that his dog is on the highway without a leash may not be sufficient for a conviction."

### 4. Violation ticket

The following addition to the Municipal Act was enacted at the last sitting of the Legislature:

#### Section 871A

The Council may, by by-law, provide that, for a contravention of a by-law made pursuant to section 870(t) or section 871(1)(d), (h), or (i), an information may be laid and a summons issued by means of a ticket in accordance with the procedure set out in section 11A (2) to (9) of the Summary Convictions Act, and the provisions of that section apply with the necessary changes and so far as they are applicable to this section, and, for that purpose,

- (a) a reference to the Lieutenant-Governor in Council shall be deemed to be a reference to the Council;

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- (b) a reference to the Province shall be deemed to be a reference to the Municipality; and
- (c) a reference to regulations shall be deemed to be a reference to by-laws.

Section 870 of the Municipal Act reads:

The Council may by by-law

- (t) require that owners, possessors, or harbourers of dogs, or any class of dogs, shall keep them effectively muzzled while they are at large or upon a highway or public place, or shall keep them on leash or under control of a competent person while upon a highway or public place, as the by-law may direct.

Section 871A of the Municipal Act reads:

- (1) The Council may, by by-law applicable throughout the municipality or within any defined area or areas thereof, regulate or prohibit, and the regulations may be different for different areas,
  - (d) the keeping of dogs, horses, mules, asses, cattle, sheep, goats, swine, rabbits, or other animals; and define areas within which such animals may be kept or within which the keeping of them is prohibited;
  - (h) (i) the running of cattle on any highway or public place, or the straying of or trespassing by cattle on any highway or public place or private property, and the grazing of cattle on unfenced land, unless such cattle are securely tethered; and thereby provide for the impounding of such cattle;
    - (ii) for the purposes of this clause, "cattle" includes any horse, mule, ass, swine, sheep, goat, cow, or other animal of the bovine species;
  - (i) the running of poultry or rabbits on any highway or public place, or the straying of or trespassing by poultry or rabbits on any highway or public place or private property, and the grazing of poultry or rabbits on unfenced land; and thereby provide for the impounding of such poultry or rabbits.

A ticket drawn up under Section 871A should provide for the following offences:

1. Failure to keep a dog on leash while on a highway or public place.
2. Permitting animals of any description to be at large in the municipality.

The persons authorized to issue these tickets should be Municipal Licence Inspectors and Animal Enforcement Inspectors in the employ of the S.P.C.A.

Dogs picked up generally bear no identification even though they may be licenced (the by-law requires that a licence be affixed to the dog). Additionally, identifying tagged animals and interviewing owners is time consuming. Therefore, it is simpler to pick dogs up than to ticket their owners. However, some animals shy away from pound patrolmen and cannot be apprehended. If they can be identified and the owner located, a summons in the form of a violation ticket can be served on them.

On receipt of the ticket, the owner has two courses of action open to him:

1. Pay the fine shown on the ticket.
2. Appear before the court.

In the matter of establishing penalties, Section 220 of the Municipal Act provides, "The Council of a municipality may from time to time make by-laws for the purpose of enforcing the by-laws of the municipality by fine or imprisonment, or both, and for inflicting fines and penalties and costs."

Four of the neighbouring municipalities employing this ticketing device provide for fines at the level of fees for impounding, one for licenced dogs and another for unlicenced dogs. It can be argued that the lack of a licence is a separate offence and should not be dealt with through the courts in this manner. Therefore, it is recommended that Council establish the minimum fine at \$25.00.

#### 5. Incinerator

At long last the incinerator in the pound is in operation and enough experience has been gained to indicate that it is costing about 6.3¢ per pound to operate.

From the attached letter dated 22 July 1974 from the S.P.C.A. it will be noted that that organization is very much opposed to a charge being made to residents of the municipality for the use of the incinerator. They feel that to do so would result in many dead animals being left in the streets. Yet their experience is that persons will bring animals to the shelter and when asked to, make a donation - donations which reduce the S.P.C.A. charge to Burnaby for the operation of the shelter.

It seems to me that if their point of view is agreed upon, Council should establish that small animals such as dogs and cats brought to the pound by residents of Burnaby will be put to death and incinerated at no charge by the municipality, meanwhile leaving it open to the S.P.C.A. to solicit donations.

On the other hand, if this point of view is not subscribed to, Council should provide that animals will be put to death and incinerated at a fee to be set out in the by-law. At the present time, the S.P.C.A. put to death, on request, animals brought to them, and seek a donation. They operate euthanasia equipment. Some arrangement would have to be made with them to perform this service.

Recommended fees are:

Dogs - putting to death and incineration \$5.00; incinerator only, \$2.00  
Cats - putting to death and incineration 2.00; incinerator only, 1.00

In any event, fees should be established for the incineration of large animals and service provided to veterinarians and adjoining communities:

1. For each dead body of a horse, mule, ass, cattle, sheep, goat or swine - all costs incurred for removal and disposal plus 10¢ per pound for cremation.

2. For each dead body of any other animal or poultry not covered in section 1, excluding dogs or cats - \$2.00 plus all special costs of removal and disposal.

3. Commercial uses:

Veterinarians and other approved agencies -

Up to 500 pounds in each calendar month - \$ 50.00 (10¢ per pound)

Up to 1,000 pounds in each calendar month - 100.00 (10¢ per pound)

Plus each additional 500 pounds or part thereof in each calendar month - 37.50 (7 1/2¢ per pound)

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Commercial users shall deliver all carcasses to the animal shelter, in appropriate containers, during the times designated by the Chief Licence Inspector.

In this connection, we have a request on hand from the City of New Westminster to provide service for their pound.

RECOMMENDATIONS

THAT an unneutered dog licence fee of \$10.00 be set for the year 1975 and \$20.00 for the year 1976; and

THAT a replacement tag fee of \$1.00 be set; and

THAT pound fees be established at:

Unlicenced dog	\$25.00
Licenced dog	10.00 first offence in a 12 month period
	25.00 second offence in a 12 month period
	40.00 third and subsequent offences in a 12 month period; plus \$2.00 per day maintenance;

and,

THAT Section 5 of the Burnaby Dog Tax and Pound and Animal Regulation By-law 1972, By-law No. 6191, be amended to read: "Every owner shall keep his dog on leash while on a highway or public place."; and

THAT provision be made for the institution of a violation ticket as described above; and

THAT the by-law provide for a minimum fine of \$25.00 for the violations shown on the violation ticket; and

THAT the by-law make provision for the putting to death and incineration of dogs and cats at the following rates:

1. Dogs \$5.00; incinerator only, \$2.00
2. Cats 2.00; incinerator only, 1.00;

and,

THAT fees for the incineration of other animals and for service to veterinarians and approved agencies be set at:

1. For each dead body of a horse, mule, ass, cattle, sheep, goat or swine - all costs incurred for removal and disposal plus 10¢ per pound for cremation.
2. For each dead body of any other animal or poultry not covered in section 1, excluding dogs or cats - \$2.00 plus all special costs of removal and disposal.
3. Veterinarians and other approved agencies:  
 Up to 500 pounds in each calendar month - \$ 50.00 (10¢ per pound)  
 Up to 1,000 pounds in each calendar month- 100.00 (10¢ per pound)  
 Plus each additional 500 pounds or part thereof in each calendar month - 37.50 (7 1/2¢ per pound);

and,

THAT these amendments to the by-law take effect 1 January 1975.

*B. O. M. J. S.*  
 MUNICIPAL TREASURER

BM:gw  
 Attach.

cc: Chief Licence Inspector S.P.C.A.



President: E. J. BROOME Secretary-Manager: C. JACK HOMES, AFC

**BRITISH COLUMBIA SOCIETY FOR THE  
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22 July 1974

Mr Phil Kenzie  
City License Department  
Corporation of Burnaby  
4949 Canada Way  
BURNABY, B.C. V5G 1M2

Dear Mr Kenzie,

I would like to refer to our conversation of today in respect to consideration being given to a nominal charge being levied for the disposal of pets or animals at the Burnaby Shelter. Referring back to previous correspondence from this office (dated 25 April 1974, if my memory serves me aright) there was going to be a charge of \$1.00. Since writing that letter, I have made numerous enquiries with various contacts to accurately assess the effect of a nominal charge for the disposal of remains of animals which have been euthanased.

Basically, the Minneapolis-St Paul example is the best that I can produce, in which, in 1972, the area of Minneapolis-St Paul decided that the disposal charge would be made in respect to any animal that had been humanely destroyed, either at the City Pound or at the Pound run jointly with an associate of the American Humane Association. Firstly, in the area of the City Pound, where there was a charge of \$1.00 made for the disposal of the carcass, immediately there became numerous cases of animals being found which had either been destroyed by the owners or had died from starvation. The number of animals that were brought to the Shelter for humane destruction and subsequent disposal progressively dropped throughout the year until the month of September represented only 25% compared with the previous 12 months. In the other Shelter, run jointly between the municipality and the representative of the American Humane Association, the revenue of this particular area increased very rapidly, so that when one made comparison in the September of the previous year, their revenue for the same exercise had in fact gone up three times. Without exception, there were no cases in the second area of animals being found dead and thus constituting a public health hazard.

In the case of the American Humane operation, the owners, when they brought animals for destruction, were asked to make a contribution, and normally this averaged out at \$4.72, which demonstrates that people are prepared to pay if they are asked for a donation, but regretfully are not prepared to pay a fixed rate charge. This is obviously one of the

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ALL DONATIONS AND LEGACIES EXEMPT FROM TAXATION AND DUTIES

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'funniosities' of the public. The same experience was encountered in Edmonton, and also in Dauphine, Manitoba when the Council required a charge for disposal of dead animals.

Closer to home, a matter of two years ago, in a branch associated with the BCSPCA, the Shelter Superintendent was attempting to bolster his registered retirement savings plan, and was automatically charging a fee for the disposal of animals. Progressively, over the period of time, dead animals appeared within the surrounding area to a degree that, in view of the way some of the animals had been destroyed, led the RCMP to believe there was a pathological criminal in the area. As a result of a considerable amount of examination, the fact was finally brought back that people were not prepared to pay for the disposal of animals. I should add that in this particular case, the municipality was also finding a number of dead carcasses of animals in the garbage pails on garbage collection day.

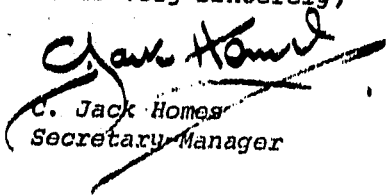
At the present time, when an animal is brought into the Burnaby Shelter to be humanely destroyed, the person is asked to contribute something to the Society for carrying out (a) the action of humanely destroying the animal(s) and (b) the disposal of the remains. Ninety percent of people so asked to contribute, and to a degree that far outweighs the need to have a Dollar charge for each incident.

At present, all funds received through the Shelter - other than those of Dues or Donations - are in fact brought against the operating cost for the Burnaby Shelter and, therefore, the Municipality does in fact receive the moneys for disposal of the animals; however, this is not at the present time in an accountable form and if it were to be so, and the owners were asked to pay such a charge, then I feel sure the revenue would greatly decrease.

Personally, I feel that we are very much into a grey area of accounting, and basically what we are being asked to do is to account for something which, if we do, will reduce the income as opposed to increasing it.

Naturally, there are many side effects to demanding a charge for the disposal of animals. One of them is the effect of dead animals being left to produce a health hazard, another, the dubious methods in which they may be destroyed, and also a rapid increase in the number of animals running at large because they have been readily abandoned by their owners who are not prepared to pay a fixed charge for disposal of their animals.

Yours very sincerely,

  
C. Jack Homer  
Secretary Manager

CJH/erm



BOARD, POUND AND LICENSE FEES

BY-LAW #	MUNICIPALITY	BOARD FEES	POUND FEES	LICENSING AGE	LICENSE FEES			KENNEL	TICKETS
					MALE	SP. FEMALE	FEMALES		
2017	Richmond	\$1.00	u/1 - \$20.00 lic. - \$10.00	6 months	\$3.00	\$3.00	(up to 15 lbs. - \$5.00) (over 15 lbs. - \$10.00)		u/1 - \$20.00 lic. - \$10.00
3270	North Vancouver City	\$1.00	u/1 - \$15.00 lic. - \$10.00	4 months	\$4.25	\$4.25	\$7.00	\$10.00 (5)	u/1 - \$15.00 lic. - \$10.00
4135	North Vancouver District	\$1.00 each day after first	\$25.00 flat	4 months	\$3.00	\$3.00	\$10.00	\$50.00 (4)	\$10.00 flat
1397	Delta	\$2.00	u/1 - \$20.00 lic. - \$10.00	4 months	\$4.00	\$4.00	\$10.00		u/1 - \$20.00 lic. - \$10.00
1873	Coquitlam District	\$2.00	u/1 - \$25.00 lic. - \$10.00	4 months	\$5.00	\$5.00	\$20.00	\$50.00 (4)	\$10.00 flat
1050	Port Moody	\$1.00	u/1 - \$ 8.00 lic. - \$ 5.00	4 months	\$5.00	\$5.00	\$20.00	\$50.00 (4)	\$10.00 flat
1020	City of Pt. Coquitlam	\$2.00	u/1 - \$25.00 lic. - \$10.00	6 months	\$5.00	\$5.00	\$20.00	\$50.00 (4)	u/1 - \$25.00 lic. - \$10.00
	Vancouver City	\$2.00	u/1 - \$30.00 lic. - \$15.00	3 months	\$5.00	\$6.00	\$20.00		(Penalty after February 1st - \$2.00)
5556	Burnaby Corporation	\$2.00 each day after first	u/1 - \$25.00 lic. - \$10.00	4 months	\$5.00	\$5.00	\$20.00		
	West Vancouver	\$2.00	1/ \$20.00 (first time) 2/ \$30.00 (second & thereafter) 3/ \$40.00 - (max. \$50.00)	4 months	\$5.00	\$5.00	\$10.00		
1055, 1085	Maple Ridge	\$1.50	u/1 - \$10.00 lic. - \$10.00	4 months	\$5.00	\$5.00	\$10.00	\$40.00 (4)	\$10.00 flat (Penalty \$20.00 if not paid before February 28th)

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By-Law #	Municipality	BOARD FEES	POUND FEES	LICENSING AGE	Male	Female	S/F N/M	Kenel	TICKETS
1669	Surrey	\$1.00	u/1 \$20.00 lic 10.00	4 months	\$10.00	\$10.00	\$3.00	\$25.00	u/1 \$20.00 lic 10.00

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